

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 10-32(2) JNE/SRN

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) **AMENDED RESTRAINING ORDER**
)
STEVEN JOSEPH LEACH,)
)
Defendant.)

This matter is before the Court on the motion of the United States for a restraining order pursuant to the All Writs Act, 28 U.S.C. § 1651, which provides the Court with authority to enter a restraining order and to take such other action in connection with any property subject to an order of restitution to ensure its availability for restitution.

Based upon the stipulation of the parties and upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED that defendant, Steven Joseph Leach, his agents, representatives, servants, employees, attorneys, family members and those persons in active concert or participation with him, and anyone holding real property, be and are hereby enjoined and restrained from selling, transferring, assigning, pledging, distributing, giving away, encumbering or otherwise participating in the disposal of or removal from the jurisdiction of this Court all or part of the defendant's interest, direct or indirect, in any real property, including the real property described in the

following paragraph, without prior approval of the Court and upon notice to the United States and an opportunity for the United States to be heard. The United States is hereby authorized to record a notice of *lis pendens* on any real property owned or co-owned by the defendant.

The property subject to this order includes the defendant's interest, whether joint or exclusive, in

1. The residence located at 1500 SUMMIT OAKS COURT, BURNSVILLE, MINNESOTA;
2. The residence located at 9225 N. 119TH WAY, SCOTTSDALE, ARIZONA.

IT IS FURTHER ORDERED that the defendant, Steven Joseph Leach, his agents, representatives, servants, employees, family members and those persons in active concert or participation with him, are hereby enjoined and restrained from selling, transferring, assigning, pledging, distributing, giving away, encumbering or otherwise participating in the disposal of or removal from the jurisdiction of this Court all or part of the defendant's interest, direct or indirect, in funds currently held in certain accounts as described in the following paragraph, without prior approval of the Court and upon notice to the United States and an opportunity for the United States to be heard.

The property subject to this order is described as follows:

1. The funds held in U.S. Bank account no. XXXX-0333, in the name of Steven Leach, revocable trust;

2. The funds held in Merrill Lynch IRA account no. XXXX8030, in the name of Steven Leach.

IT IS FURTHER ORDERED that the following accounts maintained at the following financial institutions are hereby "frozen":

1. The funds held in U.S. Bank account no. XXXX-0333, in the name of Steven Leach, revocable trust;
2. The funds held in Merrill Lynch IRA account no. XXXX8030, in the name of Steven Leach.

Those holding funds in the above-referenced accounts at financial institutions are directed to prevent and are otherwise enjoined from transferring (by wire or otherwise), conveying or disposing of all monies or other property currently within the foregoing accounts. In ordering these funds frozen, it is the intention of the Court that demands by the correspondent banks to release any money in the above-referenced accounts not be honored nor shall the financial institutions holding these funds honor any checks or other negotiable instruments drawn on these accounts, if to do so would reduce the balance of the account below the amount frozen.

It is directed that those financial institutions which maintain accounts identified herein shall immediately inform the government agents who serve the certified copies of this order of the account balances on the date of service. Such persons are further directed to continue to receive and credit monies to defendant's above-referenced accounts.

Based on the defendant's representation that funds held in

other accounts, established at the aforementioned financial institutions as of the date of this order, are either the sole property of the defendant's spouse or are otherwise necessary for the defendant and his family to live on, such other accounts are not subject to this restraining order and therefore are not frozen. Such other accounts include accounts in the name of Steven Leach, held either jointly or individually. However, the United States reserves all rights to pursue collection of funds held in such other accounts pursuant to forfeiture or otherwise.

The defendant has an ongoing obligation to inform the U.S. Probation Office and the government of other assets, not previously disclosed in the net worth statement provided to the government on November 4, 2010. Such assets include additional funds that are hereinafter deposited into the other accounts that are not otherwise subject to this restraining order. If the government learns of additional assets not previously disclosed, the government reserves all of its rights and remedies, including its right to seek an amended restraining order with respect to such undisclosed assets or otherwise.

The United States is authorized and directed to personally serve a copy of this order on defendant, counsel for defendant, and any other entity or individual the government believes may be in control or possession of property of defendant affected by this order, except that financial institutions outside the District of Minnesota may be served by certified mail.

IT IS SO ORDERED.

Dated: 11-9-2010

s/ Joan N. Erickson
The Honorable Joan N. Erickson
United States District Judge